

# ***EXHIBIT M***

LONG ISLAND RAIL ROAD  
TRANSPORTATION DEPARTMENT  
**NOTICE OF TRIAL**

CERTIFIED MAIL NO.  
AND FIRST-CLASS MAIL **7002 2410 0000 7560 4794**

January 29, 2021

Case No. **045-21**

Mr. Steven Rosati – 58733  
375 Kent Avenue  
Lindenhurst, NY 11757

Dear Mr. Rosati:

Please arrange to be present at an investigation to be held at the Transportation Trial Office, 146-01 Archer Avenue, 1<sup>st</sup> Floor, Jamaica, New York on:

**DATE: February 5, 2021**

**TIME: 11:00 AM**

**IN CONNECTION WITH THE FOLLOWING CHARGE(s):**

**Conduct Unbecoming an Employee of the LIRR; Violation of the MTA Respectful Workplace Policy; Violation of the MTA Social Media Policy; Violation of Rule E and 801 of the Rules of the Operating Department;**

In that on January 21, 2021, the Department completed an investigation that revealed that your social media postings and communications under the name of “unfiltered conservative” had been reported by local news media and identified you as a Long Island Rail Road conductor/assistant conductor. A review of your social media communications revealed offensive language and conduct including, but not limited to, your public displays of a white power hand symbol, which violates the MTA Social Media Policy and portions of Article IV.A of the MTA Respectful Workplace Policy, which states in pertinent part;

*Disrespectful conduct can include derogatory comments or jokes based on any class of people, including race, sex, color, religion, sexual orientation, disability, national origin, ethnicity or any other category prohibited by MTA policy; use of degrading words or graphics to describe or refer to an individual or group; spreading false gossip or rumors about an individual or group, and cursing and name calling.*

Additionally, you posted several messages and photographs on social media websites, such as, Twitter, Tik Tok and Facebook that have subjected the Carrier to public criticism in violation of Rule E. Specifically, you posted photographs and videos, including while on Carrier property and/or equipment and while in LIRR uniform, which violate the MTA Social Media Policy and the MTA Respectful Workplace Policy.

You may, if you so desire, be accompanied by an accredited union representative of your Organization to represent you, without expense to the Company.